

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:09-CV-043-RLV-DCK**

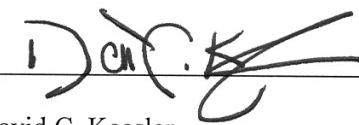
COLONIAL TRADING, LLC,)	
)	
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
BASSETT FURNITURE INDUSTRIES, INC.,)	
)	
Defendant.)	
)	

THIS MATTER IS BEFORE THE COURT on the “Motion By Plaintiff To Compel Discovery Responses Of Defendant And To Extend Discovery Deadline” (Document No. 39) filed January 10, 2012. This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §636(b) and immediate review is appropriate.

“Defendant’s Response To Plaintiff’s Motion To Compel Discovery Responses Of Defendant” (Document No. 46) was filed on February 1, 2012. To date, Plaintiff has failed to file a reply brief, or notice of intent not to reply, and the time to do so has lapsed. See Local Rule 7.1(E). Moreover, the undersigned notes that “Defendant’s Response...” contends that the pending motion to compel “is moot and inappropriate because Defendant has either responded to Colonial’s requests or provided details as to when and what will be provided in Bassett’s final supplemental production.” (Document No. 46, pp.5-6). Under these circumstances, the Court will require Plaintiff to file a reply brief in support of its pending motion to compel, or withdraw the motion.

IT IS, THEREFORE, ORDERED that Plaintiff shall file a reply brief in support of its motion to compel (Document No. 39), or a notice of withdrawal of the motion, on or before **March 8, 2012.**

Signed: March 1, 2012



David C. Keesler
United States Magistrate Judge

